

PATENT

Attorney Docket No. A-70547-2  
Attorney Client Matter 468940-71  
U.S. Application Serial No. 10/726,389

DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



re application of:

**Michael BIRSCHBACH**

Application No. **10/726,389**

Filed: **December 1, 2003**

For: **FUEL CELL CARTRIDGE FOR  
PORTABLE ELECTRONIC DEVICE**

Art Unit: **1745**

Examiner: Ben Lewis

Docket No.: **A-70547-2/RFT/VEJ**

Certificate of Mail (37 C.F.R. § 1.8(a))

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Victoria Poulsen

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163, 10/19/2004, no copies of U.S. patents and U.S. published applications are enclosed. Copies of foreign patents and non-patent literature are enclosed.

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that the references listed on the enclosed substitute for form PTO-1449 marked with the symbol (†) were first cited in a Singapore Patent Application Search Report dated March 9, 2006, for counterpart Singapore Patent Application No. 200503422-8, A copy of the Singapore Patent Application Search Report, conducted by the Austrian Patent Office for the counterpart Singapore application is enclosed herewith.

References cited in the search report and not cited herein have been previously disclosed by Applicants in the instant application.

Pursuant to 37 C.F.R. § 1.97(e), and as required by M.P.E.P. § 609(B), each item contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

Further, in accordance with the provisions of 37 C.F.R. § 1.98(a)(3) and MPEP § 609(III)(A)(3), Applicant submits that reference nos. B1 and B2 is not in the English language and directs the Examiner's attention to the English language search report enclosed herewith for a concise statement as to its relevance. Also Applicant also states that a U.S. Patent (English language equivalent) corresponding to reference no. B2 is available, and has been cited on the PTO/SB/8A accompanying this Information Disclosure Statement and is identified thereon by (††).

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extension of time or additional claims, and/or credit any overpayment to Deposit Account No. 50-2319 (Order No. 468940-00071; Docket No. A-70547-2/RFT/VEJ).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: May 5, 2006

By:



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| Substitute for form 1449A/PTO<br>(Modified)  |  | <b>Complete if Known</b> |                                   |
| <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br>(Use as many sheets as necessary)<br>Sheet <u>1</u> of <u>1</u> |  | Application Number       | 10/726,389                        |
|  |  | Filing Date              | December 1, 2003                  |
|  |  | First Named Inventor     | Birschbach, Michael               |
|  |  | Art Unit                 | 1745                              |
|  |  | Examiner Name            | Ben Lewis                         |
|  |  | Attorney Docket Number   | A-70547-2/RFT/VEJ (4468940-00071) |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document Number-Kind Code <sup>2</sup> (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|-----------------------------|---|---|
|                    | A1 †                  | US-2002/0172853 A1  | 11-21-2002                  | Kamo et al.                                     |   |
|                    | A2 †                  | US-6268077 B1   | 07-31-2001                  | Kelley et al.                                   |   |
|                    | A3 †(††)              | US-6537691 B1   | 03-25-2003                  | Poschmann et al.                                |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document             | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|-----------------------------|---|---|----------------|
|                    | B1 †                  | DE 10118744 A1  | 10-31-2002                  | Siemens AG  |   |                |
|                    | B2 †(††)              | WO 00/24076 A1  | 04-27-2000                  | DBB Fuel Cell Engines Gesellschaft MIT Beschränkter Haftung |   |                |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate); title of the item (book, magazine, journal, serial, symposium, catalog, etc.); date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|--------------------|----------|---|----------------|
|                    | C1       |   |                |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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